



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

**ISMAEL MENDOZA and
LEONILA MENDOZA,**
Plaintiffs,

v.

BLACK JAGUAR SHIPPING CO., LTD.
et al.,
Defendants.

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CASE NO. 1:06-CV-730

**MEMORANDUM ORDER ADOPTING
REPORT AND RECOMMENDATION ON DEFAULT JUDGMENT**

Pursuant to 28 U.S.C. § 636(b)(1)(A) and the Local Rules for the United States District Court, Eastern District of Texas, Appendix B, the Court referred this proceeding to United States Magistrate Judge Keith F. Giblin for consideration, hearing and a recommended disposition on the Plaintiffs' *Motion for Default Judgment as to Black Jaguar Shipping Company* [Clerk's doc. #45].

On April 15, 2008, Judge Giblin entered his report on the pending motion for default judgment. After conducting an evidentiary hearing on the matter, he issued findings and included a recommended disposition in his report. Judge Giblin recommended that this District Court grant the Plaintiffs' motion and enter default judgment against Defendant Black Jaguar Shipping Co., Ltd. He further recommended that this Court enter judgment in favor of Plaintiffs and against Defendant

Black Jaguar Shipping Co., Ltd. with an award of \$1,337,100.56 in damages, plus costs of court, bearing the applicable post-judgment interest, compounded annually, until paid, in satisfaction of Plaintiffs' claims against the Defendant.

To date, no party has filed objections to Judge Giblin's report. The Court has reviewed the motion for default judgment and Judge Giblin's findings and recommendation. After consideration, the Court agrees with the magistrate judge's *Report and Recommendation*.

Accordingly, the Court **ORDERS** that the Judge Giblin's *Report and Recommendation on Motion for Default Judgment* [Clerk's doc. #53] is **ADOPTED**. Pursuant to the magistrate judge's recommendation, the Court further **ORDERS** that the Plaintiffs' *Motion for Default Judgment* [Clerk's doc. #45] is **GRANTED**.

The Court will, accordingly, enter final judgment separately in favor of Plaintiffs and awarding damages in an amount of \$1,337,100.56, plus costs of court, and bearing the applicable post-judgment interest, compounded annually, until paid. The applicable interest rate will be reflected in the final judgment, as recommended by Judge Giblin.

So **ORDERED** and **SIGNED** this **22** day of **May, 2008**.



Ron Clark, United States District Judge